

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SEA STAR LINE, LLC, a limited :  
liability company, :  
 :  
Plaintiff, :  
 :  
v. : Civ. Act. No. 05-245-JJF  
 :  
EMERALD EQUIPMENT LEASING, INC., :  
a corporation, :  
 :  
Defendant. :

O R D E R

WHEREAS, Plaintiff, Sea Star Line, LLC ("Sea Star") has filed a letter (D.I. 121) requesting the Court to allow Sea Star to post-pone the filing of its Motion For Partial Summary Judgment until after it conducts a Rule 30(b)(6) deposition of Emerald Equipment Leasing, Inc. ("Emerald") and to allow Sea Star to combine its opening brief with its answering brief to the motion for summary judgment filed by Emerald;

WHEREAS, Emerald agrees to Sea Star's proposal to the extent it suggests the filing of a combined brief, but contends that Sea Star should file its dispositive motion immediately without awaiting further depositions (D.I. 122);

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. Sea Star's proposal for the filing and completion of summary judgment briefing (D.I. 121) is GRANTED.

2. Sea Star shall file its Motion For Partial Summary Judgment and any combined opening/answering brief **within ten (10) days** of the deposition of Emerald's Rule 30(b)(6) witness.<sup>1</sup>

3. Emerald shall file its combined answering/reply brief **within twenty-one (21) days** after the filing of Sea Star's combined brief.

4. Sea Star shall file its reply brief on its cross motion for summary judgment **within fourteen (14) days** after the filing of Emerald's combined brief.

July 17, 2007  
DATE

  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court notes that, in addition to the filing of two other discovery motions, Emerald has filed a Motion For Protective Order Regarding Re-Noticed Rule 30(b)(6) Deposition Of Emerald Equipment Leasing, Inc. (D.I. 116) ("Protective Order Motion"), which has not yet been ruled on by the Court. If the Court's adjudication of this Motion does not permit a Rule 30(b)(6) deposition of Emerald, then Sea Star's partial summary judgment motion and combined opening/answering brief shall be filed within ten (10) days of the Court's Order adjudicating the Protective Order Motion.